

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

VIRNETX INC., *et al.*,

Plaintiffs,

v.

APPLE INC.,

Defendant.

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Case No. 6:13-cv-00211-LED

JURY TRIAL DEMANDED

**VIRNETX'S NOTICE REGARDING PLAINTIFFS' REQUEST
FOR AN ONGOING ROYALTY**

Pursuant to the Court's Order (Dkt. 26, July 1, 2013) Plaintiff VirnetX Inc. ("VirnetX") hereby submits this status report regarding Plaintiffs' Request for an Ongoing Royalty (Dkt. No. 10). The parties have met and conferred in good faith on the issues contained in the motion, and were unable to come to a resolution. This motion is still pending.

DATED: August 9, 2013.

Respectfully submitted,

McKOOL SMITH, P.C.

/s/ Jason D. Cassady

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on this 9th day of August, 2013. Local Rule CV-5(a)(3)(A).

/s/ Jason D. Cassady
Jason D. Cassady